

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

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RONALD D. DIGGS,

Plaintiff,

vs.

METRO POLICE DEPARTMENT, *et al.*,

Defendants.

Case No.: 2:09-cv-02339-RLH-RJJ

**O R D E R**

(Motion for Reconsideration—#22)

Before the Court is Plaintiff Ronald D. Diggs’ **Motion for Reconsideration** (#22, filed May 11, 2011), asking the Court to reconsider its October 20, 2010, Order (#17) dismissing Diggs’ case for failure to comply with Rule 2-2 of the Local Rules of Special Proceedings and Appeals. Local Rule 2-2 states: “The plaintiff shall immediately file with the court written notification of any change of address. The notification must include proof of service upon each opposing party or the party’s attorney. Failure to comply with this rule may result in dismissal of the action with prejudice.”

Diggs was detained at the North Las Vegas Detention Center (the “Detention Center”) from April 12, 2010, until October 2, 2010. On April 13, Diggs properly filed a notice of change of address with the Court, which informed the Court of his being detained at the Detention

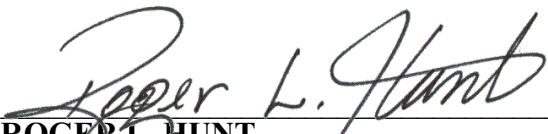
1 Center. However, after Diggs was released from the Detention Center on October 2, he failed to  
2 notify the Court of his new address. Consequently, three court orders that were mailed to the  
3 Detention Center were returned to the Court as undeliverable. (Dkt. ## 14, 15, 16). The Court,  
4 therefore, issued an Order (#17) dismissing Diggs' case for failure to comply with Rule 2-2.

5 Diggs now asks the Court to reconsider that Order and re-open his case. However,  
6 Diggs' motion was filed on May 11, 2011, more than six months after the Court issued its Order.  
7 Had Diggs been more diligent in filing this motion, the Court would be more willing to disregard  
8 his prior indifference to this case in considering it. Conversely, Diggs' delay in filing this motion  
9 confirms his lack of diligence in pursuing this case as well as his disregard for the Court's need to  
10 expeditiously resolve the cases on its docket. Therefore, the Court finds Diggs' motion to be  
11 without merit and denies it.

12 Accordingly, and for good cause appearing,

13 IT IS HEREBY ORDERED that Diggs' Motion for Reconsideration (#22) is  
14 DENIED.

15 Dated: June 28, 2011.

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18 **ROGER L. HUNT**  
19 **United States District Judge**  
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